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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,632	04/05/2001	Noriyoshi Satoh	32184US1	4480

116 7590 06/13/2002

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EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 06/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,632

Applicant(s)

SATOH ET AL.

Examiner

Dang D Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,5-8,10,11,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 3,5-8,10,11,13 and 14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/472,477.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Drawings

1. Figure 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:
- In the Specification, page 12, line 6, replace "Figs. 2A, 2B and 2C show" with -- Figure 2 shows --.
 - In the Preliminary Amendment, page 1, last line, insert -- Patent Number 6,274,955 -- after "1999". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3, 5-8, 10, 11, 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 3, 5-8, 10, 11, 13 and 14, it is indefinite because it is not clear how the claimed apparatus can "hold a vibration motor" when the apparatus is the vibration motor itself.

In addition, there is insufficient antecedent basis for the following limitations in the claims. Claim 6 recites the limitation "the height direction" in last line. Claim 7 recites the limitation "the outside of the base" in lines 2-3.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 3, 5-8 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujiwara.

Regarding claim 3, Fujiwara shows an apparatus (Figure 3) for holding a vibration motor (intended used) comprising:

- A rotating body (13, 15, 17) having:
- A base (10) having a front surface (left);
- A rotary member (17) provided on the front surface of the base; and
- A cover (1) having an electromagnetically shielding property (metallic, column 2, lines 24-26) and covering the rotary member (17);
- A board (2) on which the rotating body is mounted; and
- A shield member (9) covering at least a part of the board (Figure 3, portion holding brushes 12), wherein the rotating body (17) is disposed inside the shield member.

Regarding claim 5, it is noted that Fujiwara also shows a hole (for shaft 15) being defined in the cover to connect spaces of inside and outside of the cover to each other.

Regarding claim 6, it is noted that Fujiwara also shows the cover (1) perfectly contacting to the front surface of the base (near 8) to perform positioning of the cover in the height direction.

Regarding claim 7, it is noted that Fujiwara also shows a fillet (circumferential surface of the bell) formed on the outside of the base being used for positioning the vibration motor.

Regarding claim 8, it is noted that Fujiwara also shows the cover being electrically connected to the board (at 7).

Regarding claim 11, it is noted that Fujiwara also shows the cover having a flat surface (near 14) for an air-sucking.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara in view of Odagiri et al.

Regarding claim 10, Fujiwara shows all of the limitations of the claimed invention except for a portable electronic equipment comprising an apparatus for holding a vibration motor. Fujiwara just shows the motor.

Odagiri et al. show a portable electronic equipment (Figures 1A and 1B) comprising an apparatus for holding a vibration motor (3) for the purpose of making a cell phone.

Since Fujiwara and Odagiri et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make a portable electronic equipment with an apparatus for holding a vibration motor as taught by Odagiri et al. for the purpose discussed above.

9. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara in view of Kadokura.

Regarding claim 13, Fujiwara shows all of the limitations of the claimed invention except for the cover being made of resin; the cover being coated with non-electrolytic copper; and the cover coated with non-electrolytic copper being coated with non-electrolytic nickel.

Kadokura shows the cover being made of resin (column 5, line 41); the cover being coated with non-electrolytic copper (column 22, line 22); and the cover coated

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with non-electrolytic copper being coated with non-electrolytic nickel (column 22, line 18) for the purpose of shielding.

Since Fujiwara and Kadokura are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the cover of resin; to coat the cover with non-electrolytic copper; and to coat the cover coated with non-electrolytic copper with non-electrolytic nickel as taught by Kadokura for the purpose discussed above.

Regarding claim 14, it is noted that Kadokura also shows the resin being selected from the group consisting of acrylonitrile, butadiene and styrene (column 5, lines 39-60).

Information on How to Contact USPTO

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

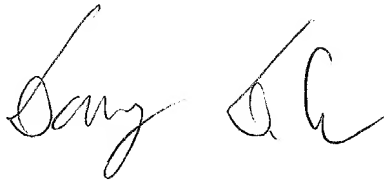
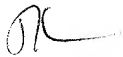
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
June 11, 2002

A handwritten signature in cursive script, appearing to read "Sany" followed by a stylized monogram or initials.A small, handwritten signature or mark, possibly initials, in cursive script.